

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ANTIONE THOMAS,
Defendant.

2:20-CR-145-APG-EJY

Amended Preliminary Order of Forfeiture

This Court finds Antione Thomas pled guilty to Counts One through Six of a Six-Count Superseding Criminal Information charging him in Count One with dealing in firearms without a license in violation of 18 U.S.C. §§ 922(a)(1)(A) and 923(a); in Counts Two, Three, Four, and Six with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1); and in Count Five with distribution of a controlled substance in violation of 21 U.S.C. § 841(a)(1). Superseding Criminal Information, ECF No. 31; Plea Agreement, ECF No. 33; Arraignment & Plea, ECF No. 35.

This Court finds Antione Thomas agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF No. 31; Plea Agreement, ECF No. 33; Arraignment & Plea, ECF No. 35.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and Counts One through Four and Six, to which Antione Thomas pled guilty.

The following property is (1) any firearm or ammunition involved in or used in any willful violation of 18 U.S.C. §§ 922(a)(1)(A) and 923(a) or (2) any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1), and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. an ABC Rifle Company, ABC-15, multi-caliber rifle with serial number ABC-0413;
2. a Smith and Wesson SW9VE, 9mm handgun with serial number PDH8242;
3. a Glock Model 26 Gen, 9mm handgun with serial number BFNY611;
4. an Anderson Manufacturing AM-15 multi-caliber rifle with serial number 15089602;
5. a Ruger .22 caliber handgun with SN 363-37288;
6. a Glock Model 19, 9mm handgun with serial number KTF997;
7. a Taurus PT 738, .380 caliber handgun with serial number 64327C;
8. a Gerstenberger, EMGE, 32 caliber revolver with serial number 47960;
9. a Scavenger 6, .17-.308 caliber rifle with serial number S60000;
10. a DTI-15, 5.56 caliber handgun with serial number DTI-S188970; and
11. any and all compatible magazines and ammunition

(all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
DECREED that the United States of America should seize the aforementioned property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
2 rights, ownership rights, and all rights, titles, and interests of Antione Thomas in the
3 aforementioned property are forfeited and are vested in the United States of America and
4 shall be safely held by the United States of America until further order of the Court.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
6 of America shall publish for at least thirty (30) consecutive days on the official internet
7 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
8 describe the forfeited property, state the time under the applicable statute when a petition
9 contesting the forfeiture must be filed, and state the name and contact information for the
10 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
11 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
12 the government may instead serve every person reasonably identified as a potential claimant
13 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
14 Rule G(4)(a)(i)(A).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
16 or entity who claims an interest in the aforementioned property must file a petition for a
17 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
18 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
19 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
20 right, title, or interest in the forfeited property and any additional facts supporting the
21 petitioner's petition and the relief sought.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
23 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
24 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
25 not sent, no later than sixty (60) days after the first day of the publication on the official
26 internet government forfeiture site, www.forfeiture.gov.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
2 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
3 Attorney's Office at the following address at the time of filing:

4 Daniel D. Hollingsworth
5 Assistant United States Attorney
6 James A. Blum
7 Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
11 described herein need not be published in the event a Declaration of Forfeiture is issued by
12 the appropriate agency following publication of notice of seizure and intent to
13 administratively forfeit the above-described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
15 copies of this Order to all counsel of record.

16 DATED April 29, 2021, 2021.

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18 ANDREW P. GORDON
19 UNITED STATES DISTRICT JUDGE